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Attorneys for Plaintiff
MAXIM I PROPERTIES

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MAXIM I PROPERTIES, a general partnership,
Plaintiff,
vs.
A.M. BUD KROHN, ET AL.,
Defendants.

Case No. 5:12-cv-00449 LHK

**STIPULATION AND ~~PROPOSED~~ ORDER
EXCUSING APPEARANCE OF LEAD
COUNSEL FOR PLAINTIFF AND
CERTAIN DEFENDANTS AT INITIAL
CASE MANAGEMENT CONFERENCE**

Judge: Honorable Lucy H. Koh

Complaint Filed: January 27, 2012
CMC Scheduled: July 11, 2012

AND RELATED COUNTER AND CROSS-
ACTIONS.

WHEREAS, Civil Local Rule 16-10(a) requires the appearance of lead counsel at the Initial Case Management Conference unless excused by the Court;

WHEREAS Plaintiff's lead counsel, Greg O'Hara, is unavailable to personally attend the Initial Case Management Conference scheduled for July 11, 2012 in this matter as required by Civil Local Rule 16-10(a) as he will be in Rochester, New York attending a business meeting that cannot be rescheduled;

WHEREAS, defendants BR&F Spray, Component Finishing, Inc. and Serra Corporation lead counsel, Steven A. Ellenberg, is unavailable to personally attend the Initial Case Management Conference because of previously set expert deposition in a case set for trial on July 23, 2012, which cannot be rescheduled;

WHEREAS, Plaintiff and Counter-Defendant Maxim I Properties ("Maxim") and Defendants and Counter-Claimants Moyer Products, Inc., Telewave, Inc., Integrated Device Technology, Inc., Space Systems/Loral Inc., BR&F Spray, Component Finishing, Inc. and Serra Corporation agree and stipulate that Mr. O'Hara is excused from attendance and his partner Lisa A. Cole will appear at the Initial Case Management Conference on behalf of Plaintiff and Counter-Defendant Maxim and that Steven Ellenberg is excused from attendance and that his colleague Mark V. Boennighausen, who is fully familiar with the matter, will appear instead on his behalf;

IT IS SO STIPULATED.

Dated: June 19, 2012

NIXON PEABODY LLP

By /s/ Alison B. Torbitt
 Gregory P. O'Hara
 Lisa A. Cole
 Alison B. Torbitt
 Attorneys for MAXIM I PROPERTIES

1 Dated: June 19, 2012

GOLDSBERRY, FREEMAN & GUZMAN LLP

2
3 By /s/ Francis Goldsberry II
Francis Goldsberry II, Esq.
4 Attorneys for MOYER PRODUCTS, INC.

5 Dated: June 19, 2012

LATHAM & WATKINS LLP

6 By /s/ Andrea M. Hogan
7 Karl S. Lytz, Esq.
Andrea M. Hogan, Esq.
8 Attorneys for INTEGRATED DEVICE
9 TECHNOLOGY, INC.

10 Dated: June 19, 2012

ABDALAH LAW OFFICES

11 By /s/ Richard K. Abdalah
12 RICHARD K. ABDALAH
MIRIAM H. WEN-LEBRON
13 Attorneys for Defendant
TELEWAVE, INC.

14
15 Dated: June 19, 2012

BARG COFFIN LEWIS & TRAPP, LLP

16 By /s/ Marc D. Katz
17 MARC D. KATZ
18 Attorneys for Defendant
SPACE SYSTEMS/LORAL, INC.

19
20 Dated: June 19, 2012

LAW OFFICES OF STEVEN A. ELLENBERG

21 By: /s/ Steven A. Ellenberg
22 STEVEN A. ELLENBERG
Attorneys for Defendants
23 BR&F SPRAY, COMPONENT FINISHING, INC. and
24 SERRA CORPORATION

1 I, Alison B. Torbitt, am the ECF user whose ID and password are being used to file this
2 document. In compliance with General Order 45, section X.B., I hereby attest that concurrence in
3 the filing of the document has been obtained from each of the other signatories.

4 Dated: June 19, 2012

By: /s/ Alison B. Torbitt
Alison B. Torbitt

5 IT IS SO ORDERED.

6 Dated: June 26, 2012

7
8 By Lucy H. Koh
9 Honorable Lucy H. Koh
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